

EMORY TENDROY, <u>et al.</u> ,	:	Order Denying Petition for
Appellants	:	Reconsideration
	:	
ERNESTINE BRONCHO WERELUS, <u>et al.</u> ,	:	
Appellants	:	
	:	
v.	:	Docket Nos. IBIA 97-96-A
	:	IBIA 97-97-A
	:	
PORTLAND AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	April 4, 1997

On March 4, 1997, the Board remanded these appeals to the Area Director for further proceedings and issuance of a new decision. 30 IBIA 224. On March 21, 1997, the Board received a petition for reconsideration from the appellants in Docket No. IBIA 97-96-A. These appellants "request that the Board amend its Order to include a provision which gives the Area Director no more than thirty (30) days to make a decision and that the Board retain jurisdiction over the Appeal so that the Appellants can proceed if necessary without further delay."

The Board declines to amend its March 4, 1997, order. Under 25 C.F.R. 2.19, an Area Director is given 60 days after all time for pleadings has expired to issue a decision. Under the circumstances of this case, the Board expects that the Area Director will issue a decision as promptly as possible after the completion of any further proceedings he may order. However, it will not impose a 30-day time limit.

The Board also declines to retain jurisdiction over this case. As stated in the March 4, 1997, order, if any party disagrees with the Area Director's new decision, he/she may appeal it to the Board.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this petition for reconsideration is denied.

Anita Vogt
Administrative Judge

Kathryn A. Lynn
Chief Administrative Judge